

January 16, 2013

**URGENT ENVIRONMENTAL PROBLEM:
EPA Cleanup of Passaic River - Stop Noxious Odors**

As North Newark residents/filmmakers, we're alerting neighboring NJ communities to ensure that the U.S. Environmental Protection Agency (EPA) completely traps and filters all noxious odors associated with:

- ∞ Summer 2013 dredging of the Mile Marker 10.9 Passaic River mudflat adjacent to Riverside Park in Lyndhurst
- ∞ Dewatering of the resultant contaminated dredged sediment (location to be determined, possibly Elizabeth)
- ∞ All future related Cleanups

The 2012 dredging of the Passaic River mudflat adjacent to the Diamond Alkali Superfund Site and dewatering in Newark emitted noxious odors detected in towns several miles away.

BRIEF HISTORY:

In the Spring/Summer of 2012, we experienced and reported to the New Jersey Department of Environmental Protection (NJDEP) an unprecedented, chronic, strong chemical/plastic odor outside our home in the North Ward of Newark when the winds were South South East, which we assumed was a chlorobenzene chemical. Having worked as scientists, we're aware of benzene compounds and their danger. On multiple occasions, we detected the same odor in Harrison, Kearny, Newark, Belleville, and Nutley. Newark Firefighters and an NJDEP inspector corroborated the noxious odor. With the NJDEP's help we, and their inspectors, tracked the source of the odor to the EPA's Passaic River Diamond Alkali Superfund Cleanup Site. It was revealed that both the dredging and dewatering of the Superfund Site sediment released noxious odors. The chlorobenzene odor ceased being detected at our home when the EPA operations ended.

The EPA's Diamond Alkali site manager confirmed to us that chlorobenzene was one of the many toxins emitted and that site workers wore respirators on some days.

PUBLIC SAFETY THREAT:

The "cumulated" effects of many months of such exposure to our health (since the odors also migrated indoors) - including our vegetable garden produce consumption - are unacceptable and avoidable risks. In addition, the noxious odors severely and seriously "interfered with the enjoyment of our life and property" which violates our rights, per NJ law.

U.S. “TEST” MODEL AND FAILURE:

In the Summer 2013, the EPA plans to dredge the Lyndhurst Passaic River Mile Marker 10.9 site (which is even closer to our home than Diamond Alkali) and dewater the contaminated sediment in a yet to be determined location, possibly Elizabeth.

The dredging and dewatering will emit noxious odors per NYT reporter Anthony DePalma’s 8.13.12 description of the mud flats as “highly contaminated” with “cancer” causing chemicals:

http://www.nytimes.com/2012/08/14/science/superfund_efforts-to-clean-waterways-come-with-a-risk.html?pagewanted=all&_r=0

Mile Marker 10.9 on the Passaic [Lyndhurst] is most definitely a toxic hot spot. Testing late last year showed that five acres of shallow mud flats in the river here were highly contaminated with mercury, toxic chemical compounds called PCBs and dioxin, which is known to cause cancer.

This article further describes how the Passaic River Cleanup is a national experiment; the Cleanup is being used as a “test” model for how the EPA will tackle some of the most heavily polluted waterways in the country.

A subsequent article cited how some Cleanup efforts have “failed:”

http://www.northjersey.com/lyndhurst/Feds_say_river_cleanup_in_Lyndhurst_fails_to_deliver.html?page=all

But in tests in Lyndhurst, the [sediment washing] method failed to strip much of the highly concentrated dioxin from mud flats along the shoreline. Not only will the U.S. Environmental Protection Agency abandon a plan to use the process in Lyndhurst, the agency will now have to reassess how it will tackle cleaning up the rest of the Passaic River. And hopes for using the method elsewhere in the region are on hold.

This methodology “failure” is a clear indicator of the “test” nature of the EPA’s Passaic River Cleanup. Public exposure to noxious odors cannot be a “test” that will also be revealed later as a critical error.

CONCLUSION:

The EPA must trap and filter all noxious odors during the Lyndhurst Passaic River dredging and dewatering processes and at all future related Cleanups. This is an essential public health safeguard, which we understand was in the original Cleanup Plan design.